

Notice of Allowability

Application No.

10/608,828

Examiner

Crystal J. Barnes

Applicant(s)

LINGEMANN, RONALD R.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment and Supplemental Amendment received on 20 and 21 June 2005, respectively.
2. ☒ The allowed claim(s) is/are 1-6 and 8-31.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The following is a Notice of Allowance in response to the Amendment received on 20 June 2005 and Supplemental Amendment received on 21 June 2005. Claim 27 has been amended. Claims 32-72 have been cancelled. Claims 1-31 remain pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl A. Forest, Reg. No. 28,494 on 10 August 2005.

The application has been amended as follows:

IN THE CLAIMS:

Claim 1 line 6, inserted -- a plurality of electrical devices, each of said
electrical devices electrically connected to one of said power drivers,
said electrical devices comprising a plurality of different types of

devices selected from the group consisting of lighting fixtures, fans, security systems, audio/video systems, heating systems, air conditioning systems, garage doors, garage door sensors, doorbells, window controls, sprinkler controls, garage door openers, electronic gate openers, driveway heaters, sidewalk heaters, fireplace controls, intercoms, speakers, microphones, dampers, digital cameras, hot water heaters, telephones, aquarium controls, water feature controls, pool/spa controls, fire protection systems, thermostats, and switched outlets; -- before "a controller".

Claim 7, cancelled the claim.

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: device 248 in figure 3 connected to power driver 206 should be deleted since reference number 248 is not shown in figure 2 as a device connected to power driver 206 (see page 18 lines 14-16). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

4. Claims 1-6 and 8-31 are allowed.
5. The following is an examiner's statement of reasons for allowance:

As per claim 1, the prior art of record taken alone or in combination fails to teach said electrical devices comprising a plurality of different types of devices selected from the group consisting of lighting fixtures, fans, security systems, audio/video systems, heating systems, air conditioning systems, garage doors, garage door sensors, doorbells, window controls, sprinkler controls, garage door openers, electronic gate openers, driveway heaters, sidewalk heaters, fireplace controls, intercoms, speakers, microphones, dampers, digital cameras, hot water heaters, telephones, aquarium controls, water feature controls, pool/spa controls, fire protection systems, thermostats, and switched outlets, especially in view of applicant's use of the phrase "selected from the group consisting of".

As per claim 27, the prior art of record taken alone or in combination fails to teach each user interface unit is capable of controlling an electrical device in a room in which said controller is located and each user interface unit is capable of controlling an electrical device in a room different than the room in which said controller is located.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Election/Restrictions

6. Applicant's election without traverse of claims 1-32 in the reply filed on 20 June 2005 is acknowledged.

Drawings

7. The drawings were received on 20 June 2005. These drawings are acceptable with the exception of figure 3.

Specification

8. The amendments to the specification were received on 20 June 2005. These corrections are acceptable.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to remote control of electrical devices/appliances in general:

USPN 6,838,978 B2 to Aizu et al.

USPN 6,746,161 B2 to Imamura

USPN 6,229,433 B1 to Rye et al.

USPN 4,567,557 to Burns

US Pub. No. 2004/0175078 A1 to Imamura

US Pub. No. 2003/0198938 A1 to Murray et al.

US Pub. No. 2003/0050737 A1 to Osann, Jr.

US Pub. No. 2003/0036807 A1 to Fosler

US Pub. No. 2002/0171379 A1 to Adamson

US Pub. No. 2001/0041982 A1 to Kawasaki et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is

571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB
10 August 2005


Anthony Knight
Supervisory Patent Examiner
Group 3600